

**City of Alameda  
Food Truck Program Guidelines**



**Community Development Department  
City of Alameda**

**October 24, 2011**

# **City of Alameda**

## **Food Truck Program Guidelines**

### **Introduction**

City of Alameda staff is proposing changes to the Alameda Municipal Code (AMC) and creating Food Truck Program Guidelines in order to help the City revitalize vacant and blighted private properties in commercial areas, encourage new business creation and expansion, and address the lack of food establishments in certain areas of the City, such as Alameda Point and Harbor Bay Business Park. Providing on-the-spot amenities may also compliment and stimulate other economic development initiatives. For example, the City suggested creating a “food trailer court” on vacant and paved areas at Alameda Point in its proposal to attract the Lawrence Berkeley National Laboratory Second Campus (LBNL Second Campus). The food trailer court would increase the amount of eating options within a short walking distance of the LBNL Second Campus for employees at lunchtime and contribute to the general appeal of the site.

### **A. Special Event Permit, Conditional Use Permit, Encroachment Permit**

While the AMC changes discussed above allow food trucks at designated locations pursuant to a permitting process, the Program Guidelines outlined in this document describe in detail how that process works. A food truck operator or organizer will need to obtain one of three permits to operate a food truck in the City, depending on the location and duration of the proposed use. The following describes this three-prong permitting process:

- A Special Event Permit (SEP) is for one-time events or up to three individual events (such as street festivals occurring on consecutive days) on private property or in the public Right-of-Way;
- A Conditional Use Permit (CUP) is for permanent or recurring food truck uses on private property; or
- An Encroachment Permit (EP) is for permanent or recurring food truck uses in the public Right-of-Way.

While the proposed changes to the AMC would allow food trucks to operate at Special Events, staff is not recommending any modifications to the Special Event Permit inter-departmental review and approval process. This document provides guidelines for the CUP and EP process. An EP for any activities and/or access occurring in the public Right-of-Way will be approved by the Public Works Director.

No notice or hearing is required for a SEP or EP. The CUP requires public notice and hearing. The CUP and the EP would be valid for one (1) year with annual renewals subject to administrative review, modification (if necessary), and approval. A denial of the CUP permit application or revocation of a permit may be appealed to the Planning Board.

The City will determine an application and permit fee based on an assessment of administrative costs. The fee will be revenue neutral to the City.

## **B. Standard Conditions for Conditional Use Permit and Encroachment Permit for Food Trucks**

The Conditional Use Permit and Encroachment Permit applications for food truck uses will include the following information: a description of the food to be sold; the location at which the vendor(s) intends to operate; hours of operation; and description of the vehicle(s) with photos, if available.

Food truck CUP and EP standard conditions and restrictions will include:

- 1) Maximum hours of operation — 6:00 a.m. to midnight.
- 2) Amplified sound.
  - Generally, amplified sound is not allowed, except pursuant to a special permit issued by the Community Development Department.
  - The Applicant must be compliant with the City's noise ordinances.
- 3) Lighting.
  - Adequate lighting will be provided to ensure customer safety.
  - Lighting will be directed downwards and away from public streets and adjacent properties.
- 4) Packaging and solid waste.
  - Applicant must ensure that no pollutants, including food waste/grease, liquid wastes, garbage/debris, and other materials are discharged to the City's storm drain system (including gutters, curbs, and storm drains).
  - Applicant will be required to provide daily clean up of all litter, debris, and waste associated with the food vendor operation. If necessary, hand sweeping in the immediate vicinity (200-foot radius of the site) shall be utilized.
  - Applicant will use best management practices and dry methods of cleaning to prevent accumulation or discharge of any materials to the City's storm drain system (including gutters, curbs, and storm drains).
  - Applicant shall ensure that any wash water from surface cleaning activities shall be collected and discharged to the sanitary sewer system and shall implement surface cleaning best management practices described in the Bay Area Stormwater Management Agencies Association (BASMAA) "Pollution From Surface Cleaning" guidance document.

- Applicant shall provide sufficient garbage, recycling and organic collection receptacles during its operation. All receptacles shall be removed prior to leaving the site. Use of City waste receptacles is prohibited.
- Applicant shall not provide prepared food to customers in disposable food service ware that uses polystyrene foam.

5) Allowable days.

- There may be particular days or special events during which food trucks are prohibited to operate.
- Applications must be for specific days of the week.

6) Proof of permits and fees.

- Applicant must obtain a City Business License, based on same classification as restaurants.
- Applicant must provide proof of insurance and valid CA drivers license.
- Applicant must provide proof of a valid health permit from the County enforcement agency.
- Applicant is required to obtain a hazardous materials permit when quantities of propane are equal to or exceed ten (10) gallons.

7) Permitted areas.

Allowed in the following General Plan districts:

- Neighborhood Business ("The Stations")
- Community Commercial excluding the Park Street Business Improvement Area and the commercial areas surrounding Webster Street (see attached map)
- Business Park (Harbor Bay Business Park and non-residential parts of Marina Village)
- Office (almost non-existent)
- Mixed Use (the non-residential areas of Alameda Landing, most of Alameda Point, Ballena Bay, Encinal Terminals, Del Monte)
- Public/Institutional/School (applies only to interior locations within the College of Alameda Campus, excluding those locations that front Ralph Appezato Memorial Parkway/Atlantic Ave. and Webster St.)

Not allowed in the following General Plan districts:

- Community Commercial within the Park Street Business Improvement Area and the commercial areas surrounding Webster Street
- Low Density Residential

- Medium Density Residential
- Parks and Public Open Space
- Open Space/Habitat
- Public/Institutional/School except for the College of Alameda Campus, as noted above

8) Public Right-of-Way.

- Food trucks requesting permanent or recurring use would be allowed in the public Right-of-Way for Certified Farmer's Markets, or other regularly scheduled events comparable to a Certified Farmer's Market with an EP.

9) Other public property.

- Food trucks requesting permanent or recurring use would be allowed in off-street non-residential locations controlled or owned by the Community Improvement Commission of the City of Alameda at the former Fleet Industrial Supply Center or by Alameda Reuse and Redevelopment Authority at Alameda Point with a CUP. Permanent or recurring food trucks uses are not allowed in City parks or open space.

10) Site requirements for off-street locations.

- Application must specify and be limited to a specific address at which vending of food will occur.
- Applicant must be stationary for a minimum of two (2) hours. No trolling allowed.
- Applicants will be required to provide proof of agreement from the property owner.
- The City will consider site-specific conditions in the granting of a permit for off-street food truck vending, which may include the following: number of trucks and patron capacity, signage, noise, parking, provision of bike parking and other amenities where appropriate, lighting, security, and frequency of the event.

11) Certified Farmers Markets and other comparable regularly scheduled events.

- The Certified Farmers Market certificate holder or event organizer is responsible for obtaining a business license and one permit for all food vendors.
- The application will identify the number and types of vendors operating within the market.
- All other regulations will apply to vendors within a Certified Farmers Market or comparable event.

12) Condition and appearance of site.

- City will have the discretion to require tables, chairs, or other site furniture if sufficient space is available to accommodate diners and pedestrian access.
- No portable A-frame signs will be permitted on the site.

13) Revocation.

- The CUP may be modified or revoked by the Zoning Administrator, pursuant to Alameda Municipal Code Section 30-21.3d should the Zoning Administrator determine that: 1) the use or conditions under which it is being operated or maintained is detrimental to the public health, welfare, or materially injurious to property or improvements in the vicinity; 2) the property is operated or maintained so as to constitute a public nuisance; or 3) the use is operated in violation of the conditions of the CUP.

14) Renewal process.

- The CUP and the EP would be valid for one (1) year with annual renewals subject to administrative review, modification (if necessary), and approval. The Applicant may apply for a time extension, not to exceed one (1) year, and must be filed prior to the date of expiration. Renewal of the permit may depend upon additional restrictions to address public safety, traffic circulation, or other relevant issues reviewed at the time of renewal.

15) Indemnification

- The Applicant shall defend (with counsel reasonably acceptable to the City), indemnify, and hold harmless the City of Alameda, its Redevelopment Agency, the Alameda City Planning Board and their respective agents, officers, and employees from any claim, action, or proceeding (including legal costs and attorney's fees) against the City of Alameda, Alameda Redevelopment Agency, Alameda City Planning Board, and their respective agents, officers, or employees to attack, set aside, void or annul, an approval by the City of Alameda, the Community Development Department, Alameda City Planning Board, the City of Alameda Redevelopment Agency, or City Council related to this project. The City shall promptly notify the Applicant of any claim, action, or proceeding and the City shall cooperate in such defense. The City may elect, in its sole discretion, to participate in the defense of said claim, action, or proceeding.



WEST ALAMEDA BUSINESS DISTRICT

CENTRAL (BOTH SIDES)

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faxed